



## Legislation Details (With Text)

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**File #:** 16-1013      **Version:** 1      **Name:** PW - ROI for 4100 E Ocean alley vacation D3  
**Type:** Resolution      **Status:** Adopted  
**File created:** 10/27/2016      **In control:** City Council  
**On agenda:** 11/15/2016      **Final action:** 11/15/2016

**Title:** Recommendation to adopt Resolution of Intention to vacate the Belmont Drive alley located adjacent to 4100 East Ocean Boulevard, between Ocean Boulevard and Olympic Plaza Drive; set the date of Tuesday, December 13, 2016 at 5:00 p.m. for the public hearing on the vacation; and  
Accept Categorical Exemption 16-022. (District 3)

**Sponsors:** Public Works

**Indexes:**

**Code sections:**

**Attachments:** 1. 111516-C-7sr&att.pdf, 2. RES-16-0113.pdf

Date	Ver.	Action By	Action	Result
11/15/2016	1	City Council	approve recommendation and adopt	Pass

Recommendation to adopt Resolution of Intention to vacate the Belmont Drive alley located adjacent to 4100 East Ocean Boulevard, between Ocean Boulevard and Olympic Plaza Drive; set the date of Tuesday, December 13, 2016 at 5:00 p.m. for the public hearing on the vacation; and

Accept Categorical Exemption 16-022. (District 3)

The business and property owner at 4100 East Ocean Boulevard requests to vacate the Belmont Drive alley between Ocean Boulevard and Olympic Plaza Drive (Exhibit A) for outdoor fitness activities and a private passageway for the business. An easement will be reserved for the existing utility lines that will remain in the vacated alley.

Proceedings for this vacation are being conducted in accordance with Chapter 3, General Vacation Procedure, of the Public Streets, Highways and Service Easements Vacation Law of the California Streets and Highways Code. Findings must establish that the subject right-of-way is unnecessary for present or prospective public use. Public Works supports this vacation action based on finding that the alley is not needed for the adjacent property owner's vehicular access, although the adjacent property/business owner has submitted a petition against the right-of-way vacation stating needed use of the alley for refuse pickup. Public Works staff is working with the vacation requestor and petitioner to identify an alternative refuse pickup location.

On July 21, 2016, the Planning Commission determined the subject vacation action is consistent with the General Plan (Exhibit B). In conformance with the California Environmental Quality Act, Categorical Exemption Number 16-022 was issued for this project

(Exhibit C).

The interested City departments, including Traffic Engineering, Fire and Police have reviewed the proposed right-of-way vacation and have no objections to this action.

A public hearing on this matter is to be held on December 13, 2016, and will allow all persons interested in, or objecting to, the proposed vacation to appear and be heard. At that time, the City Council will deliberate and take action on the proposed vacation.

This matter was reviewed by Deputy City Attorney Linda T. Vu on October 27, 2016 and by Budget Analysis Officer Julissa Jose-Murray on October 26, 2016.

City Council action is requested on November 15, 2016, to set a hearing date on this matter for December 13, 2016.

A tentative vacation processing fee of \$7,991 was deposited to the General Fund (GF) in the Public Works Department (PW). There is no local job impact associated with this recommendation.

Approve recommendation.

A RESOLUTION OF INTENTION TO VACATE THE BELMONT DRIVE ALLEY LOCATED ADJACENT TO 4100 EAST OCEAN BOULEVARD, BETWEEN OCEAN BOULEVARD AND OLYMPIC PLAZA DRIVE, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PURSUANT TO THE PUBLIC STREET, HIGHWAYS AND SERVICE EASEMENTS LAW (DIVISION 9, PART 3, CALIFORNIA STREETS AND HIGHWAYS CODE); FIXING A TIME AND PLACE FOR HEARING ALL PERSONS INTERESTED IN OR OBJECTING TO THE PROPOSED VACATION

CRAIG A. BECK  
DIRECTOR OF PUBLIC WORKS

APPROVED:

PATRICK H. WEST  
CITY MANAGER